

REMARKS/ARGUMENTS

Claims 1 and 3 are present in this application. By this Amendment, claims 1 and 3 have been amended, and claims 2 and 4 have been canceled. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claim 2 was rejected under 35 U.S.C. §112, second paragraph. Without conceding this rejection, claim 2 has been canceled. Withdrawal of the rejection is requested.

Claims 1 and 3 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,924,152 to Matsubara et al. Additionally, claims 2 and 4 were rejected under 35 U.S.C. §103(a) over Matsubara in view of U.S. Patent No. 6,444,171 to Sakazume et al. As these rejections may be applied to amended claims 1 and 3, these rejections are respectfully traversed.

In an exemplary embodiment of the present invention, when a specimen to be reanalyzed is found, a specimen container for storing the specimen is automatically picked from the stock floor and set in the container holder conveyed by the second conveyor. As such, the second conveyor conveys the specimen container to the analytic apparatus, and a reanalysis is performed. Therefore, it is unnecessary for an operator to remove a container containing the specimen from the conveying lane and send it back to the analytic apparatus (see, for example, page 1, line 23 - page 2, line 2).

Although Matsubara discloses a returning lane 65, Matsubara lacks at least the claimed centrifugal unit located at a downstream side of the storage rack along the first conveyor that pick the specimen containers from the container holders conveyed by the first conveyor, centrifuges the specimen containers, and sets the specimen containers in the container holders conveyed by the first conveyor. Matsubara additionally lacks the claimed stopper removing unit that is located at a downstream side of the centrifugal unit along the first conveyor. As claimed,

the stopper removing unit removes the stoppers from the specimen containers. Also lacking in the Matsubara patent is the claimed analytic apparatus located at a downstream side of the stopper removing unit along the first conveyor that picks the specimen containers from the container holders conveyed by the first conveyor, analyzes a specimen in the specimen containers, and sets the specimen containers in the container holders conveyed by the first conveyor. Still further, Matsubara lacks the claimed reanalysis control unit located adjacent to the stockyard that picks the specimen containers from the stock floor, sets the specimen containers in the container holders conveyed by the second conveyor, and makes the analytic apparatus to reanalyze the specimen in the specimen containers.

Since at least this subject matter is lacking in the Matsubara patent, Applicant respectfully submits that the rejection under §102(e) is misplaced.

The secondary reference to Sakazume et al. discloses a centrifugal unit and a cap opener (see column 6, lines 21-23). The Sakazume patent, however, does not correct the deficiencies noted with regard to Matsubara. That is, neither Matsubara nor Sakazume, taken singly or in combination, provides any suggestion to modify the Matsubara structure to include those features noted above lacking the Matsubara patent. Applicant thus submits that the rejection under §103(a) is also misplaced.

Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

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Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

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